

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, MARCH 2, 2022

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 2, 2022

The Senate met in regular session at 9:07 a.m., President Chapman presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grace Tollefson.

The Journal of Tuesday, March 1, 2022, was approved.

RECESS

On motion of Senator Brown, the Senate recessed at 9:10 a.m. until 1:00 p.m.

RECONVENED

The Senate reconvened at 1:05 p.m., President Chapman presiding.

QUORUM CALL

Senator Sweeney requested a nonrecord roll call to determine that a quorum was present. The Chair declared a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Zumbach, until he arrives, on request of Senator Whitver; and Senator Kinney, until he arrives, on request of Senator Wahls.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 2342](#).

[Senate File 2342](#)

On motion of Senator Goodwin, [Senate File 2342](#), a bill for an act relating to student eligibility requirements in school district, accredited nonpublic school, charter school, community college, and regent institution athletics based on sex, was taken up for consideration.

Senator Goodwin offered amendment [S-5034](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-5034](#) was adopted by a voice vote.

Senator Goodwin asked and received unanimous consent that [House File 2416](#) be **substituted** for [Senate File 2342](#).

[House File 2416](#)

On motion of Senator Goodwin, [House File 2416](#), a bill for an act relating to student eligibility requirements in school district, accredited nonpublic school, charter school, community college, and regent institution athletics based on sex, was taken up for consideration.

President Pro Tempore Zaun took the chair at 1:38 p.m.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2416](#)), the vote was:

Yeas, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	

Nays, 17:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Absent, 2:

Kinney	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Goodwin asked and received unanimous consent that [Senate File 2342](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [House File 2416](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2169 and 2183.

[Senate File 2169](#)

On motion of Senator Sweeney, [Senate File 2169](#), a bill for an act relating to assisted reproduction fraud, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Sweeney offered amendment [S-5035](#), filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-5035](#) was adopted by a voice vote.

Senator Sweeney asked and received unanimous consent that [House File 2160](#) be **substituted** for [Senate File 2169](#).

[House File 2160](#)

On motion of Senator Sweeney, [House File 2160](#), a bill for an act relating to assisted reproduction fraud, and providing penalties, was taken up for consideration.

Senator Sweeney offered amendment [S-5036](#), filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-5036](#) was adopted by a voice vote.

President Chapman took the chair at 3:07 p.m.

Senator Sweeney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 2160](#)), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirnbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 2:

Kinney Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Sweeney asked and received unanimous consent that [Senate File 2169](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2183](#)

On motion of Senator Schultz, [Senate File 2183](#), a bill for an act relating to antisemitism in the state of Iowa, was taken up for consideration.

Senator Schultz asked and received unanimous consent that [House File 2220](#) be **substituted** for [Senate File 2183](#).

[House File 2220](#)

On motion of Senator Schultz, [House File 2220](#), a bill for an act relating to antisemitism in the state of Iowa, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 2220](#)), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirnbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 2:

Kinney	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Schultz asked and received unanimous consent that [Senate File 2183](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2160 and 2220** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2287, 2305, and 2310.

Senate File 2287

On motion of Senator Brown, [Senate File 2287](#), a bill for an act relating to used catalytic converter transactions, providing penalties, and making penalties applicable, was taken up for consideration.

Senator Brown offered amendment [S-5038](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-5038](#) was adopted by a voice vote.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2287](#)), the vote was:

Yeas, 44:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Klimesh	Koelker	Kraayenbrink
Lofgren	Mathis	Nunn	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shiple	Sinclair	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, 4:

Dotzler	Lykam	Petersen	Smith, J.
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Absent, 2:

Kinney	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 2305

On motion of Senator Koelker, [Senate File 2305](#), a bill for an act regarding port authorities, including by allowing port authorities to enter into certain loan agreements and lease contracts, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2305](#)), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirnbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 2:

Kinney	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2310

On motion of Senator Williams, [Senate File 2310](#), a bill for an act relating to multiple housing cooperatives, including by providing for the conversion to a cooperative under the Iowa cooperative associations Act and merger with a limited liability company, was taken up for consideration.

Senator Williams moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2310](#)), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirnbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 2:

Kinney Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2287, 2305, and 2310** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 2, 2022, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2128](#), a bill for an act relating to education, including the education of students who are not fully English proficient and the standards applicable to the hiring, developing, and evaluation of community college faculty.

[Senate File 2130](#), a bill for an act relating to schools that are required to register with the college student aid commission.

[Senate File 2279](#), a bill for an act regarding electronic submission of bids for public improvement contracts.

[Senate File 2325](#), a bill for an act related to matters under the purview of the economic development authority including the high quality jobs program, the Iowa energy center, and the workforce housing tax incentive program, and including effective date and retroactive applicability provisions.

ALSO: That the House has on March 2, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2147](#), a bill for an act making an appropriation to support efforts relating to the U.S.S. Iowa and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

[House File 2165](#), a bill for an act relating to employment, including modifying provisions related to the list of high-demand jobs created by community colleges and students who are eligible to receive a scholarship from the future ready Iowa skilled workforce last-dollar scholarship fund.

Read first time and attached to **companion** [Senate File 2129](#).

[House File 2200](#), a bill for an act relating to direct health care agreements, and including effective date and applicability provisions.

Read first time and attached to **similar** [Senate File 2276](#).

[House File 2302](#), a bill for an act relating to affirmative defenses for entities using cybersecurity programs.

Read first time and referred to committee on **Commerce**.

[House File 2408](#), a bill for an act relating to the delivery of restaurant food pursuant to a food delivery platform, providing civil penalties, and including applicability provisions.

Read first time and attached to **companion** [Senate File 2320](#).

[House File 2414](#), a bill for an act relating to waiver of the placement investigations and reports related to the adoption of a minor by a minor's legal guardian.

Read first time and referred to committee on **Judiciary**.

[House File 2415](#), a bill for an act relating to private land available for public use for recreational purposes.

Read first time and referred to committee on **Natural Resources and Environment**.

[House File 2420](#), a bill for an act relating to the newborn safe haven Act.

Read first time and referred to committee on **State Government**.

[House File 2445](#), a bill for an act relating to the uniform commercial code by providing for controllable electronic records.

Read first time and attached to **companion** [Senate File 2333](#).

[House File 2461](#), a bill for an act relating to ransomware and providing penalties.

Read first time and referred to committee on **Commerce**.

[House File 2463](#), a bill for an act relating to nonsubstantive Code corrections, and including retroactive applicability provisions.

Read first time and attached to **companion** [Senate File 2294](#).

[House File 2470](#), a bill for an act adopting and implementing the recommendations of the artisanal butchery task force.

Read first time and referred to committee on **Commerce**.

[House File 2472](#), a bill for an act relating to tampering with witnesses or jurors, and providing penalties.

Read first time and referred to committee on **Judiciary**.

[House File 2493](#), a bill for an act relating to para-educators holding substitute authorizations and including effective date provisions.

Read first time and attached to **companion** [Senate File 2291](#).

[House File 2495](#), a bill for an act establishing the comprehensive transition and postsecondary program scholarship program.

Read first time and referred to committee on **Education**.

[House File 2521](#), a bill for an act relating to health care employment agencies, and providing penalties.

Read first time and attached to **companion** [Senate File 2210](#).

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:24 p.m. until 9:00 a.m., Thursday, March 3, 2022.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Kennedy Bigwood, Camanche High School—For winning the Class 1A Individual State Championship. Senator Cournoyer.

Eric Kinkaid, Camanche High School—For winning the 145lb, 2A 2022 Iowa High School State Wrestling Championship. Senator Cournoyer.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Wednesday, March 2, 2022, 10:10 a.m.

Members Present: Schultz, Chair; Koelker, Vice Chair; Giddens, Ranking Member; Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirnbach, Sinclair, R. Smith, and Williams.

Members Absent: None.

Committee Business: [HF 2167](#).

Adjourned: 10:20 a.m.

STATE GOVERNMENT

Convened: Wednesday, March 2, 2022, 3:30 p.m.

Members Present: R. Smith, Chair; Cournoyer, Vice Chair; Boulton, Brown, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, and Reichman.

Members Absent: Bisignano, Ranking Member; Celsi, and Schultz (all excused).

Committee Business: Distribution of committee assignments.

Adjourned: 3:35 p.m.

WAYS AND MEANS

Convened: Tuesday, March 2, 2022, 11:25 a.m.

Members Present: Dawson, Chair; Goodwin, Vice Chair; Jochum, Ranking Member; Bolcom, Brown, Dickey, Dotzler, Green, Petersen, Quirnbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun.

Members Absent: None.

Committee Business: [SSB 3147](#) w/amendment S-B 3152 w/amendment S-B 3151 w/amendment (pulled from agenda).

Adjourned: 11:40 a.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 106](#), by Nunn and Boulton, a resolution honoring the nation of Taiwan.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

SUBCOMMITTEE ASSIGNMENTS

[House File 2340](#)

STATE GOVERNMENT: Cournoyer, Chair; Bisignano, Boulton, Dawson, and R. Smith

[House File 2411](#)

LABOR AND BUSINESS RELATIONS: Dickey, Chair; Boulton and Driscoll

FINAL COMMITTEE REPORT OF BILL ACTION

COMMERCE

Bill Title: [HOUSE FILE 2167](#), a bill for an act relating to the definition of autism spectrum disorder for purposes of certain health care coverage, making conforming changes, and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WITHDRAWAL OF
GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on March 2, 2022:

I am withdrawing the name of Judy Loonan for confirmation as a member of the State Soil Conservation and Water Quality Committee from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S APPOINTEE PLACED ON
EN BLOC CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

COMMERCE

Bobbi Terrell – Credit Union Review Board

AMENDMENTS FILED

<u>S-5034</u>	<u>S.F. 2342</u>	Tim Goodwin
<u>S-5035</u>	<u>S.F. 2169</u>	Annette Sweeney
<u>S-5036</u>	<u>H.F. 2160</u>	Annette Sweeney
<u>S-5037</u>	<u>S.F. 2260</u>	Dan Dawson
<u>S-5038</u>	<u>S.F. 2287</u>	Waylon Brown
<u>S-5039</u>	<u>S.F. 2251</u>	Adrian Dickey